

11 JUN 2007

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

VO-768

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

10/581,584

INTERNATIONAL APPLICATION NO.

PCT/EP2004/013503

INTERNATIONAL FILING DATE

27 November 2004

PRIORITY DATE CLAIMED

02 December 2003 and 14 September 2004

TITLE OF INVENTION

END-STOP DAMPER

APPLICANT(S) FOR DO/EO/US

Ulrich BANTLE et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☒ This is a **SECOND OR SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
  4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ has been transmitted by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)). (verified)
  7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ have been transmitted by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). (verified)
  9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (4 pages, executed, attached to a copy of the International Application)
  10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:
11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. (3 pages)
  12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. (3 pages total)
  13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  14. ☐ A substitute specification. (attached to a red-ink marked-up version of the English language translation)
  15. ☐ A change of power of attorney and/or address letter.
  16. ☒ Other items or information:
    - Copy of Notification of Missing Requirements Under 35 U.S.C. 371
    - Certificate of Mailing by Express Mail (2 pages)
    - Return Receipt Postcard
    - Executed Claim for Small Entity Status document
    - Form PTO-1449 (3 pages) and with a copy of each and every non-U.S. Patent reference cited therein

EXPRESS MAIL NO.: EV954017848US

MAILED: 11 June 2007

CUSTOMER NO.: 42419

Form PTO-1390 (REV 10-95) page 2 of 2

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(d))-SMALL BUSINESS CONCERN**

Docket Number  
**VO-768**

Applicant or Patentee: Ulrich BANTLE et al.

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

Title: END-STOP DAMPER

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN

Karl Simon GmbH & Co. KG

ADDRESS OF SMALL BUSINESS CONCERN

Sulgenerstrasse 21-23
D-78733 Aichhalden, Germany

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below:

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

GERD F. FRERS

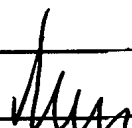
TITLE OF PERSON IF OTHER THAN OWNER

GENERAL MANAGER

ADDRESS OF PERSON SIGNING

Sulgenerstrasse 21-23, D-78733 Aichhalden, Germany

SIGNATURE



DATE

June 26, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ulrich BANTLE  
Jürgen ESCHLE

Title: END-STOP DAMPER

Serial No.: 10/581,584

Based Upon: PCT/EP2004/013503

Express Mail No.: EV954017848US

Date of Deposit: 11 June 2007

Customer No.: 42419

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


I hereby certify that the following requisites of the subject Patent Application are being deposited with the United States Postal Service as Express Mail Post Office to Addressee No. EV954017848US, on 11 June 2007, and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, together with the items listed below.

- Transmittal Letter (Form PTO-1390) (2 pages), in duplicate

Serial No.: 10/581,584

- Executed German Language Declaration (4 pages), attached to a German language copy of the International Application
- First Information Disclosure Statement (3 pages), together with Form PTO-1449 (3 pages), and with a copy of each and every cited non-U.S. Patent reference
- Recordation Form Cover Sheet, together with executed Assignment Document (3 pages total)
- Executed Claim for Small Entity Status document
- A check in the amount of \$105.00 to cover the fees set forth in the Transmittal Letter
- Copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
- Return Receipt Postcard

Respectfully submitted,

  
Douglas H. Pauley  
Registration No. 33,295

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APR 11 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

Pauley, Petersen &amp; Erickson

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/581,584	Ulrich Bantle	VO-768

INTERNATIONAL APPLICATION NO.
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PCT/EP04/13503

I.A. FILING DATE	PRIORITY DATE
11/27/2004	12/02/2003

42419  
PAULEY PETERSEN & ERICKSON  
2800 WEST HIGGINS ROAD  
SUITE 365  
HOFFMAN ESTATES, IL 60195

CONFIRMATION NO. 7001

371 FORMALITIES LETTER



\*OC000000023267662\*

Date Mailed: 04/09/2007

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/02/2006
- English Translation of the IA filed on 06/02/2006
- Copy of the International Search Report filed on 06/02/2006
- Preliminary Amendments filed on 06/02/2006
- Request for Immediate Examination filed on 06/02/2006
- U.S. Basic National Fees filed on 06/02/2006
- Substitute Specification filed on 06/02/2006
- Priority Documents filed on 06/02/2006

*Resp to Missing Requirements*  
DOCKETED  
DATE 09 June 2007  
ATTORNEY \_\_\_\_\_  
ENTERED: ckh ckh  
008177

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/581,584	PCT/EP04/13503	VO-768